

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:
BARBARA B. ESTES
Debtor(s).

CASE NO.: 14-05633-PMG

FIRST AMENDED CHAPTER 13 PLAN

COMES NOW, the Debtor(s) and files this First Amended Chapter 13 Plan. The projected disposable income of the Debtor(s) is submitted to the supervision and control of the Chapter 13 Standing Trustee, and the Debtor(s) shall pay the following sums to the Chapter 13 Standing Trustee:

PLAN PAYMENTS

Payment Number by months	Amount of Monthly Plan payment
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1 – 12 (December 2014 – November 2015)	\$1,591.00
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13 – 60 (December 2015 – November 2019)	\$1,608.00
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The Debtor(s) shall pay by **money order, cashier's check** or **wage deduction**, to Douglas W. Neway, Chapter 13 Standing Trustee, P.O. Box 2079, Memphis, Tennessee 38101-2079. The Debtor(s) name and case number must be indicated clearly thereon and received by the due dates for payments established by court order.

PAYMENT OF CLAIMS THROUGH THE PLAN

Attorney Fees

Attorney Name	Claim Amount	Payment Amount	Payment Month Numbers
Candace M. King, P.A.	\$3,000.00	\$250.00	1-12

Priority Claims

The fees and expenses of the Trustee shall be paid over the life of the Plan at the rate allowed as governed by the guidelines of the United States Trustee and

Name of Creditor	Claim Amount	Payment Amount	Payment Month Numbers
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There are no priority claims in this case.

Secured Claims

Secured Creditor	Claim Amount	Payment Amount	Payment Month Numbers
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Ocwen Loan Servicing LLC \$106,871.45
*1st mtg: 2737 Winrock Dr W
 Jacksonville, FL 32216*

\$900.00

1-60

The Plan proposes a modified payment to the Creditor [\$900.00 per month is the debtor's regular contractual payment amount]. Sixty (60) days following the filing of the mediator's report, the Debtor shall either modify to pay this claim as filed, or modify to pay the modified mortgage payment, if different than what is being paid under the plan or modify to surrender the property. If Debtor does not move to modify the plan within sixty (60) days, Creditor may seek relief from the automatic stay under the Local Rules procedure using negative notice.

Bank of America, N.A. \$55,000.00
*2nd mtg: 2737 Winrock Dr W
 Jacksonville, FL 32216*

The creditor filed a Satisfaction of Mortgage in the Duval County Public Records on October 24, 2012, Official Records Book 16116 Page 850. No payments will be provided to the creditor through this Chapter 13 Plan.

Summit Financial Corp.
2009 Toyota Venza

\$24,951.41

\$281.90 (at 4.5%)

1-12

\$510.99 (at 4.5%)

13-60

Total: \$27,910.17 to pay this creditor in full satisfaction of this debt.

Executory Contracts:**The following Executory Contracts are assumed**

Name of Creditor:	Description of Collateral:	Month Numbers:
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There are no executory contracts in this case.

Unsecured Creditors: whose claims are allowed shall receive a pro rate share of the balance of the funds remaining after payments to Priority and Secured Creditors are made.

The debtor is proposing to pay the unsecured creditors in full, with the exception of the student loan debt owed to ECMC.

Property of the Estate reverts in the Debtor(s) upon confirmation of the plan.

Other Provisions:

1. Any claims filed after March 23, 2015, (other than governmental units) shall not receive a distribution under this plan unless specifically provided for above.

2. All creditors shall retain their liens to the extent permitted by 11 U.S.C. Section 506(d).

3. *Except as provided for in the plan, the order confirming the plan or other court order, no interest, late charges, penalties or attorney's fees will be paid or accessible by any secured creditor.*

11U.S.C. Section 1327(a) provides:

“ The provisions of a confirmed plan bind the debtors and each creditor, whether or not the claim of such creditor provided for by the plan, and whether or not such creditor has objected to, has accepted, or has rejected the plan.”

Confirmation of the plan shall impose an affirmative duty of the holders and/or the servicers of any claims secured by liens, mortgages and/or deeds of trust on the principal residence of the Debtors to do all of the following:

(1.) To apply the payments received from the trustee on the prepetition arrearages, if any, only to such arrearages. For purposes of this plan, the “prepetition” arrears shall include all sums included in the “allowed” proof of claim and shall have a zero balance upon the entry of the Discharge Order in this case.

(2.) To deem the prepetition arrearages as contractually current upon confirmation of the plan, thereby precluding the imposition of late payment charges or other default-related fees and services based solely on the prepetition default of defaults.

(3.) To apply the direct post-petition monthly mortgage payments paid by the trustee or by the Debtors to the month in which each payment was designated to be made under the plan or directly by the Debtors, whether or not such payments are immediately applied by the creditor to the outstanding loan balance or are placed into some type of suspense ,forbearance, or similar account.

ANY POST PETITION COSTS OR EXPENSES INCURRED BY OR ON BEHALF OF ANY SECURED CREDITOR WILL BE DISCHARGED UPON COMPLETION OF THE DEBTOR'S PLAN, UNLESS SPECIFICALLY PROVIDED FOR IN THE CONFIRMATION ORDER, OR BY FURTHER ORDER OF THE COURT ON MOTION FILED PRIOR TO THE COMPLETION OF THE PLAN.

DATED: This 3rd day of February, 2015.

CANDYCE M. KING, P.A.

/s/ Candyce M. King

Candyce M. King
Florida Bar Number 307210
Sarah A. Mannion
Florida Bar Number 103087
2219 Park Street
Jacksonville, FL 32204
904/387-9886; Fax 904/387-9862
Attorney for Debtor
kingcandyce@bellsouth.net

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing First Amended Chapter 13 Plan was provided electronically or by U.S. Mail, postage pre-paid, to all creditors and parties in interest on the attached mailing matrix this 3rd day of February, 2015.

CANDYCE M. KING, P.A.

/s/ Candyce M. King

Candyce M. King
Florida Bar Number 307210
Sarah A. Mannion
Florida Bar Number 103087
2219 Park Street
Jacksonville, FL 32204
904/387-9886; Fax 904/387-9862
Attorney for Debtor
kingcandyce@bellsouth.net

Label Matrix for local noticing
113A-3
Case 3:14-bk-05633-PMG
Middle District of Florida
Jacksonville
Tue Feb 3 16:26:04 EST 2015

United States Trustee - JAX 13/7 7
Office of the United States Trustee
George C Young Federal Building
400 West Washington Street, Suite 1100
Orlando, FL 32801-2210

(P)AMERICOLLECT INC
PO BOX 2080
MANITOWOC WI 54221-2080

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

Capital One Bank USA
4851 Cox Road
Glen Allen, VA 23060-6293

City of Jacksonville
117 West Duval Street Ste. 480
Jacksonville, FL 32202-5721

Credit One Bank
Po Box 98873
Las Vegas, NV 89193-8873

Duval County Tax Collector
231 Forsyth St. #130
Jacksonville FL 32202-3380

Ecmc
Po Box 16408
St. Paul, MN 55116-0408

FNCC/Legacy Visa
Attn: Bankruptcy
Po Box 5097
Sioux Falls, SD 57117-5097

First Svgs Bk-blaze
5501 S Broadband Ln
Sioux Falls, SD 57108-2253

Florida Dept. of Revenue
Bankruptcy Unit
P.O. Box 6668
Tallahassee, FL 32314-6668

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Ocwen Loan Servicing LLC
Attn: Bankruptcy
P.O. Box 24738
West Palm Beach, FL 33416-4738

Summit Financial Corp
100 Nw 100th Ave
Plantation, FL 33324-7008

Summit Financial Corporation
PO Box 9013
Addison, Texas 75001-9013

The Outsource Group
P.O. Box 1629
Maryland Heigh, MO 63043-0629

United States Attorney
300 North Hogan St Suite 700
Jacksonville, FL 32202-4204

Barbara B Estes
2737 Winrock Dr W
Jacksonville, FL 32216-3386

Candyce M. King
Candyce M. King, P.A.
2219 Park Street
Jacksonville, FL 32204-4315

Douglas W. Neway
P O Box 4308
Jacksonville, FL 32201-4308

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Americollect Inc
Attn: Bankruptcy
Po Box 1566
Manitowoc, WI 54221

Bank of America
4161 Piedmont Parkway
Greensboro, NC 27410

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

End of Label Matrix	
Mailable recipients	20
Bypassed recipients	1
Total	21